

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

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ADVANCE MAGAZINE PUBLISHERS, INC. :
d/b/a THE CONDE NAST PUBLICATIONS, :

Plaintiff, :

- against - :

ZAP ZONE NETWORK, MAIL CENTRO, INC. :
and CP SOFTWARE GROUP, :

Defendants. :

07-CV-7923(SHS)

JOINT RULE 26(f) REPORT

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Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, Plaintiff Advance Magazine Publishers, Inc., d/b/a The Conde Nast Publications ("plaintiff) and Defendants Zap Zone Network, Mail Centro, Inc. and CP Software Group (collectively, "defendants"), respectfully submit the following Joint Rule 26(f) Report, reflecting the Rule 26(f) telephonic conference held by the Parties on October 22, 2007.

On October 22, 2007, the parties met and conferred via counsel to consider:

1. what changes should be made in the timing, form, or requirement for disclosures under Rule 26(a) including a statement as to when disclosures under Rule 26(a)(1) were made or will be made;
2. the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues;
3. what changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and

4. orders that should be entered by the court under Rule 26(c) or under Rule 16(b) and (c).

Rule 26(a) Initial Disclosures

Counsel have agreed to exchange written disclosures pursuant to Rule 26(a) of the Federal Rules of Civil Procedure by November 9, 2007.

Proposed Scheduling Order

The Answer is currently due by November 1, 2007. Defendants have indicated that they currently intend to file a motion to dismiss one or more of the counts concerning one or more of the defendants, including a challenge to personal jurisdiction over one or more of the defendants. If defendants file such a motion, plaintiff seeks 30 days in which to conduct relevant discovery and an additional 30 days thereafter to file its opposition. The Parties propose the following scheduling order.

1. Defendants shall answer or otherwise respond to the complaint by November 30, 2007.
2. Rule 26(a) Initial Disclosures shall be served no later than November 9, 2007.
3. If defendants file a dispositive motion alleging lack of personal jurisdiction in lieu of an answer, the parties shall take discovery limited to the issues raised by defendants' motion, such discovery to be completed by December 31, 2007. All other discovery is stayed until adjudication of the motion. *If no motion is made, the parties are to write the court requesting a mid-discovery status conference be set.*

4. Plaintiff's opposition to defendants' motion shall be due February 8, 2008.
5. Defendants' reply shall be due February 28, 2008.
6. Fact discovery shall be completed no later than 6 months after adjudication of the dispositive motion.

7. All dispositive motions shall be filed and served no later than 30 days after the end of discovery.

8. Opposition papers thereupon shall be filed and served within 30 days thereafter.

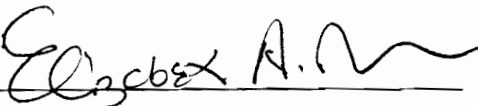
9. Any reply papers thereupon shall be filed and served within 20 days thereafter.

Settlement Status

The parties held settlement discussions, but agreed that they were futile at this juncture.

Dated: New York, New York
October 25, 2007

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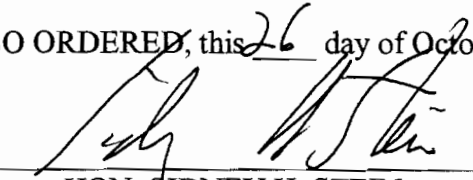
By 
s/

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By:



SO ORDERED, this 26 day of October 2007


HON. SIDNEY H. STEIN
United States District Judge

Copies of this Order have been mailed to Counsel for the parties.